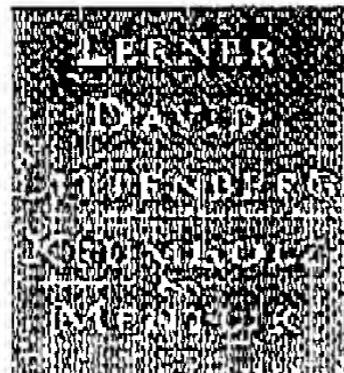


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From: Raymond Garguilo, Esq.

Date: April 5, 2004 No. Pages: 3 Original Mailed: -NO-

Client/Matter No: TESSERA 3.0-176 DIV

• MESSAGE:

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Docket No.: TESSERA 3.0-176 DIV
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of: :
Beroz et al. :
Application No.: 09/942,386 : Group Art Unit: 1762
Filed: August 30, 2001 : Examiner: B. K. Talbot
For: COMPONENTS WITH CONDUCTIVE :
SOLDER MASK LAYERS :
Commissioner for Patents

P.O. Box 1450
Alexandria, VA 22313-1450

COMMUNICATION

Dear Sir:

As per our telephone interview on April 5, 2004, we have recently realized that *DiStefano* et al. United States Patent Number 6,324,754 ("DiStefano") which is cited under 35 U.S.C. § 102(e) as being prior art against the above identified matter, does not qualify as prior art.

Specifically, *DiStefano* has a filing date of March 25, 1998, while the above-identified matter has a priority date of March 26, 1998, one day after the filing date of *DiStefano*. Thus, *DiStefano* does not qualify as 35 U.S.C. § 102(b) prior art since it was published less than one year prior to the filing of the above identified matter. Secondly, *DiStefano* also does not qualify as prior art under 35

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Application No.: 09/942,386

Docket No.: TESSERA 3.0-176 DIV

U.S.C. § 102(e) since it is commonly owned by the same inventive entity of the above identified matter.

In order to simplify matters, we request that the rejection under 35 U.S.C. 103 (a) for which *DiStefano* is cited be withdrawn.

If you have any further questions, please do not hesitate to contact us.

Dated: April 5, 2004

Respectfully submitted,

By

Raymond Garguilo, Jr.

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